IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.8185 OF 2004

Dr (Mrs) Sarla U.Azad, .. Petitioner

Vs

1. Ms Ketty S.Suntoke and anr. .. Respondents

Mr V.G.Hegde, for the petitioner.

Mr Udayan S Jain, for the respondent.

CORAM : D.B.BHOSALE,J.

DATE : 21th October, 2004.

PC:

1. Heard the learned counsel for the parties.

2. This petition challenges the order dated 2.8.2004 passed by the Small Causes Court in the interim notice no.108 of 2004 in T.E.Suit No.149 of 2001. By the impugned order, the interim notice, took out by the plaintiff-respondent, has been made absolute and the document, which was earlier marked "X-2" for identification, has been marked as Exhibit-Q. The learned counsel for the parties fairly stated that I need not examine the merits of the petitioner's contentions and they have no objection for disposing of the writ petition by the following order.

(i) The questions raised in the instant petition are

kept open for the petitioner to agitate in Appeal, that will be filed by either of the parties against the final decree.

All contentions are, accordingly, kept open. This writ petition is disposed of.

. Certified copy expedited.

(D.B.BHOSALE, J.)